

## Message Text

CONFIDENTIAL

PAGE 01 OECD P 11072 01 OF 02 301857Z

45

ACTION EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 TRSE-00 EUR-12

ERDA-05 ISO-00 MC-02 ACDA-05 EA-06 /038 W

----- 111823

R 301842Z APR 75

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 6849

C O N F I D E N T I A L SECTION 01 OF 02 OECD PARIS 11072

EXCON

E.O. 11652:XGDS1

TAGS: ESTC, COCOM, GE, US

SUBJECT: US DRIVES AND PRINTER TO GDR - IL 1565

REFS: A. COCOM DOC. (75)837 (STATE 95098, OC DOC.5258)

B. STATE 95074

C. COCOM DOC. (74) 2085

SUMMARY: ALL DELS APPROVED CASE APRIL 29 EXCEPT CANADIAN, WHO WAS WITHOUT INSTRUCTIONS. BELGIAN DEL MADE VIGOROUS STATEMENT REPROACHING THE US FOR WHAT HIS AUTHORITIES REGARDED AS A CHANGE OF POSITION AFTER OUR OBJECTION TO TYPE 2312/2314 DRIVES IN REF C. HE RESERVED RIGHT TO RESUBMIT IT. UKDEL SHARPLY CRITICIZED USE OF URGENCY PROCEDURE FOR A CASE SO IMPORTANT AS THIS. CASE WILL BE REINSCRIBED FOR MAY 6. END SUMMARY

1. RECEIVED APRIL 25, STATE 95098 WAS TRANSCRIBED AS DOC. (75)837 AND SUBMITTED SAME DAY, AND CAME BEFORE COMMITTEE APRIL 29. ALL DELS APPROVED IT EXCEPT CANADIAN, WHO WAS WITHOUT INSTRUCTIONS. CASE WILL BE REINSCRIBED ON AGENDA OF MAY 6. IN APPROVING, BELGIAN AND UK DELS MADE STATEMENTS STRONGLY CRITICAL OF THE US.

2. BELGIAN DEL, PREDICTABLY, REFERRED TO US OBJECTION TO  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OECD P 11072 01 OF 02 301857Z

2312/2314 EQUIPMENT IN REF C, AN OBJECTION ON WHICH WE

HAD ELABORATED IN DOC. (75)474. CITING THAT DOCUMENT, HE POINTED OUT CONTRADICTIONS BETWEEN POSITION IT SET FORTH AND THAT TAKEN HERE: 2314-TYPE UNITS PREVIOUSLY AUTHORIZED FOR EXPORT TO EASTERN EUROPE "ONLY FOR USE WITH US-ORIGIN OR WESTERN-BUILT COMPUTERS, OR WITH EE-PRODUCED COMPUTERS BASED ON WESTERN TECHNOLOGY AND DESIGNS;" OUR FORMER FEAR OF TECHNOLOGY TRANSFER; OUR FORMER REFUSAL OF LICENSE FOR TESTING 2314 WITH RYAD COMPUTER. AS FOR CONDITIONS ON FUTURE TRANSACTIONS, AND IN PARTICULAR THE STATEMENT THAT APPROVAL OF THIS CASE DOES NOT COMMIT US OR COCOM TO APPROVE THEM, (ANNEX 5, INCORPORATED IN PARAGRAPH 3 OF (75)837) BELGIAN SAID THIS MERELY SET FORTH WHAT IS ALREADY THE "COMMON LAW" OF COCOM. HE CONCLUDED BY STATING THAT HIS AUTHORITIES RESERVED THEIR RIGHT TO RESUBMIT REF C. (COMMENT: USDEL HAD ALREADY SUGGESTED THIS TO HIM, IN ACCORDANCE WITH LAST PARAGRAPH OF REF B).

3. USDEL REPLIED BY READING THE EXPLORATION IN REF B INTO THE RECORD. UNDETERRED, BELGIAN RIPOSTED BY SAYING THAT US COULD HAVE APPROVED REF C WITH A STATEMENT THAT IT WAS NOT COMMITTING ITSELF TO OEM SALES. HE CONCLUDED BY EXPRESSING REGRET THAT US HAD DECIDED TO RELAX ITS CONTROL ON THIS EQUIPMENT IN A CASE OF ITS OWN, INSTEAD OF IN THE BELGIAN CASE IN REF C.

4. AFTER APPROVING CASE AND EXPRESSING HIS SUPPORT FOR REMARKS OF BELGIAN DEL, UKDEL THEN LAUNCHED INTO A SHARP ATTACK ON OUR USE OF THE URGENCY PROCEDURE IN A CASE AS EXCON

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 OECD P 11072 02 OF 02 301856Z

42

ACTION EB-07

INFO OCT-01 ISO-00 DODE-00 NSAE-00 TRSE-00 ERDA-05 CIAE-00

COME-00 EUR-12 MC-02 EA-06 ACDA-05 /038 W

----- 111822

R 301842Z APR 75

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 6850

C O N F I D E N T I A L SECTION 02 OF 02 OECD PARIS 11072

EXCON

UNUSUAL AS THIS. HE FELT THAT IT WAS AN ABUSE OF THE COMMITTEE FOR A MEMBER TO ALLOW SO BRIEF A TIME FOR CONSIDERATION BY OTHER DELS OF SO IMPORTANT A CASE MERELY BECAUSE IT HAD BEEN UNABLE TO COMPLETE ITS INTERNAL LICENSING PROCEDURES A SUFFICIENT TIME IN ADVANCE OF THE SCHEDULED DELIVERY DATE. IN THE BELGIAN CASE, HE POINTED OUT, THE US HAD TAKEN A POSITION ON 2312/2314 TYPE EQUIPMENT. OTHER MEMBERS HAD NOTED IT AND HAD INFORMED INTERESTED FIRMS OF IT. NOW THE US CHANGED ITS MIND, PROPOSED TO SHIP THE SAME KIND OF EQUIPMENT FOR THE SAME TYPE OF USE TO WHICH IT PREVIOUSLY OBJECTED, AND GAVE THE COMMITTEE BARELY TWO DAYS TO CONSIDER IT. ITALIAN, FRENCH, GERMAN, JAPANESE AND CANADIAN DELS EXPRESSED THEIR SYMPATHY WITH UKDEL'S COMMENTS AND RESERVED THE RIGHT TO ADD THEIR OWN COMMENTS AT A LATER DATE.

5. REPLYING, USDEL POINTED OUT THAT THERE WAS NOT A SINGLE DELEGATION PRESENT THAT HAD NOT AT SOME TIME USED THE URGENCY PROCEDURE BECAUSE ITS AUTHORITIES' INTERNAL LICENSING PROCEDURES HAD BEEN COMPLETED LATE. HE REFERRED AGAIN TO THE DIFFICULT ISSUES INVOLVED, INCLUDING US REQUIREMENT OF 3330 REPLACEMENT BY 2314'S, IN EXPLANATION OF URGENCY SUBMISSION. HE REITERATED FINALLY THAT WE DO NOT REGARD THE US AND BELGIAN CASES AS BEING PARALLEL, IN VIEW OF THE OPEN-ENDED CHARACTER OF THE LATTER.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OECD P 11072 02 OF 02 301856Z

6. AFTER THE MEETING, UKDEL TOLD US HE HAD SPOKEN UNDER INSTRUCTIONS. HE SAID THAT ALTHOUGH HE UNDERSTOOD THE DISTINCTION WE DREW BETWEEN OUR CASE AND THE BELGIAN, HIS AUTHORITIES WERE SERIOUSLY CONCERNED OVER THE COMPETITIVE IMPLICATIONS OF OURS AFTER THE POSITION WE HAD PREVIOUSLY TAKEN.

7. COMMENT: THE UK PROTEST REMINDS US OF THE REQUEST MADE ABOUT TWO YEARS AGO BY THE PREVIOUS UKDEL IN ASKING THAT US AUTHORITIES GIVE ADVANCE NOTICE OF INTENTION TO SUBMIT REQUESTS IT WOULD NOT PREVIOUSLY HAVE APPROVED. US AUTHORITIES MIGHT RECONSIDER THIS SUGGESTION.  
TURNER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SPARE PARTS, EXPORT CONTROLS, COMPUTERS, PRINTING EQUIPMENT, IL 1565  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 30 APR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GarlanWA  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975OECDP11072  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** X1  
**Errors:** N/A  
**Film Number:** D750152-0120  
**From:** OECD PARIS  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t1975043/aaaaacrv.tel  
**Line Count:** 165  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 COCOM DO(737, 75 (STATE 95098, 75 OC DO25  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GarlanWA  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 02 JUN 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** WITHDRAWN <19 MAY 2003 by GarlanWA, 3.4.X9>; RELEASED <02 JUN 2003 by GarlanWA>; APPROVED <02 JUN 2003 by GarlanWA>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** US DRIVES AND PRINTER TO GDR - IL 1565  
**TAGS:** ESTC, GC, US, COCOM  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006